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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,731	03/31/2004	Yoram Ofek	OFE 1854	9871

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EXAMINER
DAGLAWI, AMAR A

ART UNIT	PAPER NUMBER
2618	

MAIL DATE	DELIVERY MODE
03/25/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/814,731	OFEK ET AL.	
	Examiner	Art Unit	
	Amar Daglawi	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *1* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *31 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-51* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) *1-51* are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Group I (claims 1-30), drawn to A wireless system for transmitting and receiving a plurality of data packets, the system comprising: a plurality of directional antenna sectors each having a respective associated three-dimensional region of space for transmitting and receiving electromagnetic signals; at least one receiving controller; at least one transmitting controller; wherein at least one of said receiving controllers is selectively coupled to at least one of the directional antenna sectors to measure received electromagnetic signal characteristics; wherein at least one of said receiving controllers selects at least one of the directional antenna sectors prior to the transmission of at least one data packet responsive to the received electromagnetic signal characteristics; and wherein at least one of said transmitting controllers is selectively coupled to at least one of the directional antenna sectors in order to transmit at least one data packet via the directional antenna sectors selected by said selected one of said at least one receiving controller wherein a selected one of said at least one receiving controller is selectively coupled to selected ones of the directional antenna sectors in a defined order in order to measure received electromagnetic signal characteristics, wherein a selected one of said at least one receiving controller prior to the transmission of at least one data packet selects at least one of the directional

antenna sectors within a first defined time interval responsive to the received electromagnetic signal characteristics classified in class 455, subclass 63.5, 25.

II. Group II (claims 31-42), drawn to A wireless device for transmitting and receiving a plurality of data packets, the system comprising: a first buffer providing memory for storage; a plurality of directional antenna sectors each associated with a respective three-dimensional region in space for transmitting and receiving electromagnetic signals; at least one receiving controller; at least one transmitting controller; wherein each directional antenna sector is selectively coupled to a selected one of the at least one said transmitting controller and transmits an electromagnetic signal in a defined region in space; wherein a selected one of the at least one said receiving controller is selectively coupled to at least one of the directional antenna sectors to measure received electromagnetic signal characteristics and stores the electromagnetic signal characteristics in the first buffer, and wherein the selected one of the at least one said transmitting controllers is selectively coupled, to at least one of the directional antenna sectors for a first defined time interval for the transmission of at least one data packet responsive to the received electromagnetic signal characteristics stored in the first buffer wherein at least one of the at least one said receiving controller is coupled to at least one of the directional antenna sectors for a second defined time interval for receiving of at least one data packet, responsive to the received electromagnetic signal characteristics stored in the first buffer wherein the at least one said receiving controller is selectively coupled to the directional antenna sectors in a defined order responsive to the electromagnetic signal characteristics stored in the first buffer wherein

the at least one said receiving controller is selectively coupled to the directional antenna sectors in at least one of the following patterns, responsive to the electromagnetic signal characteristics stored in the first buffer as at least: one directional antenna sector at a time, two directional antenna sectors at a time, three directional antenna sectors at a time, classified in class 370, subclass 352.

III. Group III (claims 43-51), drawn to A wireless method for transmitting and receiving a plurality of data packets, the method comprising: orienting a plurality of directional antenna sectors in three-dimensional space; selecting at least one of said plurality of directional antenna sectors to receive an electromagnetic signal; coupling at least one of said selected directional antenna sectors to receive an electromagnetic signal; measuring electromagnetic signal characteristics of the received electromagnetic signal; selecting at least one of said plurality of directional antenna sectors to transmit an electromagnetic signal; coupling at least one of said selected directional antenna sectors to transmit a transmitted electromagnetic signal; and transmitting the electromagnetic signal as a transmitted signal in a defined region in space prior to transmitting of at least one data packet responsive to the electromagnetic signal characteristic comprising: utilizing steered directional antenna sectors to orient the directional antenna sectors arranging the directional antenna sectors in a defined physical pattern, classified in class 343, subclasses 757, 702.

The inventions are distinct, each from the other because of the following reasons: Inventions I, II, and III are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown

to be separately usable. In the instant case, invention II has separate utility a self contained wireless device for transmitting and receiving a plurality of data packets. See MPEP 806.05(d).

Because these inventions are distinct for the reasons given above and gave acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group I, Group III is not required for group I and so on, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by fee required under 37 CFR 1.117(i).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amar Daglawi whose telephone number is 571-270-1221. The examiner can normally be reached on Monday- Friday (7:30 AM- 5:00 AM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lana N. Le can be reached on 571-272-7891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Amar Daglawi

3-2708

LANA LE
PRIMARY EXAMINER